

1
2
3
4
5
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

6
7
8 UNITED STATES OF AMERICA,

9 NO. CR08-266-RSL

10 Plaintiff,

11 v.

12 JAMY KIM HAYNEN,

13 Defendant.

14
15
16
17
18
19
20
21
22
23
24
25
26
SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

An evidentiary hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on November 12, 2010. The United States was represented by Assistant United States Attorney Sarah Y. Vogel, and the defendant by Jesse Cantor.

The defendant had been charged and convicted of Distribution of MDMA and Distribution of Oxycodone, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C). On or about June March 20, 2009, defendant was sentenced by the Honorable Robert S. Lasnik, to a term of 21 months in custody, to be followed by 3 years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, participation in a substance abuse program, financial disclosure, and submit to search.

In a Petition for Warrant or Summons, dated April 23, 2010, U.S. Probation Officer Andrea G. Porter asserted the following violations by defendant of the conditions of his supervised release:

- (1) Committing the crime of Distribution of Oxycontin on or about April 22, 2010, in violation of the general condition that he not commit a federal, state or local crime.
- (2) Committing the crime of Possession of Oxycontin on or about April 22, 2010, in violation of the general condition that he not commit a federal, state or local crime.

On April 26, 2010, defendant made his initial appearance. The defendant was advised of the allegation and advised of his rights. On November 12, 2010, this matter came before the Court for an evidentiary hearing. Defendant admitted to violations 1 and 2. Defendant also entered a guilty plea to these charges in CR10-305-RSL.

I therefore recommend that the Court find the defendant to have violated the terms and conditions of his supervised release as to violations 1 and 2, and that the Court conduct a hearing limited to disposition in CR08-266-RSL, together with sentencing on the guilty plea in CR10-305-RSL. A disposition/sentencing hearing has been set before the Honorable Robert S. Lasnik on February 4, 2011 at 9:00 a.m.

Pending a final determination by the Court, the defendant has been detained.

DATED this 12th day of November, 2010.

James P. Donohue
JAMES P. DONOHUE
United States Magistrate Judge

1 cc: District Judge: Honorable Robert S. Lasnik
2 AUSA: Sarah Y. Vogel
3 Defendant's attorney: Jesse Cantor
4 Probation officer: Andrea G. Porter
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26